



General Assembly

February Session, 2006

Raised Bill No. 154

LCO No. 1189

* ____SB00154JUD__031406__ *

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
INTERAGENCY TASK FORCE ON TRAFFICKING IN PERSONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006*) (a) A person is guilty of
2 trafficking in persons when such person commits coercion as provided
3 in section 53a-192 of the general statutes and the other person is
4 compelled or induced to (1) engage in conduct that constitutes a
5 violation of section 53a-82 of the general statutes, or (2) work.

6 (b) Trafficking in persons is a class B felony.

7 Sec. 2. Subsection (a) of section 53-394 of the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective*
9 *October 1, 2006*):

10 (a) "Racketeering activity" means to commit, to attempt to commit,
11 to conspire to commit, or to intentionally aid, solicit, coerce or
12 intimidate another person to commit any crime which, at the time of its
13 commission, was a felony chargeable by indictment or information
14 under the following provisions of the general statutes then applicable:
15 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;

16 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
 17 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
 18 assault, except assault with a motor vehicle as defined in section 53a-
 19 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
 20 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
 21 relating to burglary, arson and related offenses; (8) chapter 952, part
 22 IX, relating to larceny, robbery and related offenses; (9) chapter 952,
 23 part X, relating to forgery and related offenses; (10) chapter 952, part
 24 XI, relating to bribery and related offenses; (11) chapter 952, part XX,
 25 relating to obscenity and related offenses; (12) chapter 952, part XIX,
 26 relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212,
 27 relating to weapons and firearms; (14) section 53-80a, relating to the
 28 manufacture of bombs; (15) sections 36b-2 to 36b-33, inclusive, as
 29 amended, relating to securities; (16) sections 21a-277, 21a-278, as
 30 amended, and 21a-279, relating to drugs; (17) section 22a-131a, relating
 31 to hazardous waste; [or] (18) chapter 952, part XXIII, relating to money
 32 laundering; or (19) section 1 of this act, relating to trafficking in
 33 persons.

34 Sec. 3. (NEW) (*Effective October 1, 2006*) (a) No employer shall
 35 employ any person knowing that such person is being coerced by
 36 another person to engage in such employment in violation of section 1
 37 of this act.

38 (b) The Attorney General, upon the request of the Labor
 39 Commissioner, may bring a civil action in the Superior Court to
 40 recover a civil penalty of not more than ten thousand dollars for each
 41 violation of subsection (a) of this section and such injunctive or other
 42 equitable relief as the court may, in its discretion, order.

43 Sec. 4. (NEW) (*Effective October 1, 2006*) Any person aggrieved by a
 44 violation of section 1 of this act may bring a civil action in the superior
 45 court for the judicial district where such person resides or the judicial
 46 district of Hartford against the person or persons who committed such
 47 violation to recover actual damages, statutory damages of not more
 48 than one thousand dollars for each day such person was coerced by

49 another person in violation of section 1 of this act and a reasonable
50 attorney's fee.

51 Sec. 5. Section 53a-82 of the general statutes is repealed and the
52 following is substituted in lieu thereof (*Effective October 1, 2006*):

53 (a) A person is guilty of prostitution when such person engages or
54 agrees or offers to engage in sexual conduct with another person in
55 return for a fee.

56 (b) In any prosecution for an offense under this section, it shall be an
57 affirmative defense that the actor was coerced into committing such
58 offense by another person in violation of section 1 of this act.

59 ~~[(b)]~~ (c) Prostitution is a class A misdemeanor.

60 Sec. 6. (NEW) (*Effective October 1, 2006*) The Office of Victim Services
61 shall work with community providers to provide services to victims of
62 the offense of trafficking in persons, as provided in section 1 of this act,
63 who require emergency, high security protection.

64 Sec. 7. (NEW) (*Effective October 1, 2006*) There is established a victim
65 security account, which shall be a separate nonlapsing account within
66 the Judicial Department. Such account shall be administered by the
67 Office of Victim Services for the purpose of providing services for
68 victims of the offense of trafficking in persons, as provided in section 1
69 of this act, who require emergency, high security protection.

70 Sec. 8. (NEW) (*Effective October 1, 2006*) The Permanent Commission
71 on the Status of Women, in conjunction with the Police Officer
72 Standards and Training Council, shall develop a training program on
73 trafficking in persons and make such training program available, upon
74 request, to the Division of State Police within the Department of Public
75 Safety, local police departments and community organizations.

76 Sec. 9. (*Effective October 1, 2006*) (a) The sum of twenty-five thousand
77 dollars is appropriated to the Permanent Commission on the Status of
78 Women, from the General Fund, for the fiscal year ending June 30,

79 2007, for purposes of section 8 of this act.

80 (b) The sum of fifty thousand dollars is appropriated to the Police
81 Officer Standards and Training Council, from the General Fund, for
82 the fiscal year ending June 30, 2007, for purposes of section 8 of this
83 act.

84 (c) The sum of one hundred thousand dollars is appropriated to the
85 Judicial Department, from the General Fund, for the fiscal year ending
86 June 30, 2007, for deposit in the victim security account established
87 under section 7 of this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	53-394(a)
Sec. 3	<i>October 1, 2006</i>	New section
Sec. 4	<i>October 1, 2006</i>	New section
Sec. 5	<i>October 1, 2006</i>	53a-82
Sec. 6	<i>October 1, 2006</i>	New section
Sec. 7	<i>October 1, 2006</i>	New section
Sec. 8	<i>October 1, 2006</i>	New section
Sec. 9	<i>October 1, 2006</i>	New section

JUD *Joint Favorable*